

#38
PATENT APPLICATION (NE)
FYI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Adang et al

Application No: 07/713,624

Group Art Unit: 1805

Filed: June 10, 1991

Examiner: Dr. Che Chereskin

For: INSECT RESISTANT PLANTS

JUL 1 - 1994

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EXCESS CLAIM FEE PAYMENT LETTER

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Attached hereto is an Amendment under 37 C.F.R. §1.115 in the above-identified application. Applicants are amending the present application by adding two (2) independent claims.

The Patent Office is hereby authorized to charge the fee of \$148.00 pursuant to 37 C.F.R. § 1.116(b), for the above addition of two (2) independent claims, to our Deposit Account No. 19-4880. A duplicate copy of this Letter is enclosed for this purpose.

Respectfully submitted,

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July 1, 1994

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AMENDMENT UNDER 37 C.F.R. 1.115

#37/C
(IV/S)
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Sir:

Pursuant to Adang's Motion 4, filed in Interference
No. 103,324, please add the following new claims:

68. A method of controlling insects harmful to dicotyledonous
plants comprising:

(a) transforming a dicotyledonous plant cell capable of
regeneration to contain a full-length or less than full-length
Bacillus thuringiensis crystal protein structural gene that encodes
crystal protein toxin and a plant expressible promoter whereby the
gene is expressed in the dicotyledonous plant cell under control of
the promoter;

(b) regenerating said plant cell to form a dicotyledonous
plant or plant tissue that expresses said crystal protein toxin in
amounts that control said insects; and

(c) allowing said insects to feed on said plant or plant
tissue whereby said insects are controlled.